

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

File no: 2:05-CR-05

v.

HON. ROBERT HOLMES BELL

STEVEN JAMES BENNETT,

Defendant.

_____/

**ORDER APPROVING MAGISTRATE'S
REPORT AND RECOMMENDATION**

The Court has reviewed the Report and Recommendation filed by the United States Magistrate in this action. The Report and Recommendation was duly served on the parties.

Upon careful review of the Report and Recommendation and the objections filed by both the government and the defendant, the Report and Recommendation is hereby adopted as the opinion of the Court.

ACCORDINGLY, IT IS HEREBY ORDERED that the charges in this matter are hereby **DISMISSED** as the defendant is not competent to stand trial.

IT IS FURTHER ORDERED that defendant is returned to the custody of the Attorney General for designation to a Medical Referral Center to undergo a risk assessment in accordance with 18 U.S.C. §4246, to determine whether or not the defendant's release would create a substantial risk of bodily injury to another person or serious damage to the

property of another.

Date: September 25, 2006

/s/ Robert Holmes Bell
ROBERT HOLMES BELL
CHIEF UNITED STATES DISTRICT JUDGE